



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91803-1331
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GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

August 20, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

25 August 20, 2013

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**APPROVE AMENDMENT TO AGREEMENT 77916 FOR
DEL MAR AVENUE OVER ALHAMBRA WASH
BRIDGE REPLACEMENT PROJECT
CITY OF SAN GABRIEL – COUNTY OF LOS ANGELES
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action is to approve the Amendment to Agreement 77916 between the City of San Gabriel and the County of Los Angeles with respect to the Del Mar Avenue over Alhambra Wash Bridge Replacement project adopted by the Board on February 12, 2013. The City has requested the County to accept City's Federal Surface Transportation Program-Local funds in lieu of other City funds to finance a portion of the non-Federally reimbursable cost of the project.

IT IS RECOMMENDED THAT THE BOARD:

Instruct the Chairman of the Board to sign the Amendment to Agreement 77916 between the City of San Gabriel and the County of Los Angeles that provides for the City to assign \$508,676 of its Federal Surface Transportation Program-Local funds in lieu of other City funds to finance a portion of the City's share of the Del Mar Avenue over Alhambra Wash Bridge Replacement project.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is for the Board to approve the enclosed Amendment to Agreement 77916 that provides for the City to assign \$508,676 of its available Federal Surface Transportation Program-Local (STP-L) funds to the County in lieu of other City funds to finance a portion of the City's share of the cost of the Del Mar Avenue over Alhambra Wash Bridge

Replacement project. The Board previously adopted City-County Agreement 77916 on February 12, 2013. The original agreement provides for the County to provide financing and delegation of responsibilities for the design and construction of the project; for the City to finance its share of the cost of the project by using its credit in the form of reimbursement paid to the County under Service Request No. 15980; for design of the project in the amount of \$296,962; and County Aid-to-Cities funds in the amount of \$45,862 that is allocated to the City and on account with the County and by depositing other City funds in the amount of \$508,676.

The Los Angeles County Metropolitan Transportation Authority has established procedures that permit the transfer of Federal STP-L funds between public agencies. Approval of the Amendment to Agreement 77916 is required under these procedures. This exchange of funds is mutually beneficial to and in the general interest of the City and the County.

The Board's approval of the amendment is necessary for financing the proposed project.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Integrated Services Delivery (Goal 3). By improving the bridge, residents of the City and nearby unincorporated County communities who travel on Del Mar Avenue will benefit and their quality of life will be improved.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The project is entirely within the City. The County will administer the project under the Federal Highway Bridge Program covered by Agreement 71078 with the State of California. Under this program, Federal-aid funds will be used to finance a portion of the project cost. The non-Federally reimbursable portion of the project cost will be financed by the City.

The total project cost is estimated to be \$5,032,000 with estimated Federal reimbursement of \$4,180,500, and the City's cost is estimated to be \$851,500. In addition to the construction contract cost, the total project cost includes the cost of plans, specifications, consultant services, survey, material testing, construction engineering, inspection, contract administration, change order contingency, contribution to the Contract Cities Liability Trust Fund, and other County services.

The City's jurisdictional share of the project cost will be financed by a credit in the form of reimbursement paid to the County under Service Request No. 15980 for design of the project in the amount of \$296,962, County Aid-to-Cities funds in the amount of \$45,862 that is allocated to the City and on account with the County, and by assigning \$508,676 of its available Federal STP-L funds to the County. The County's anticipated expenses for the Aid-to-Cities program are budgeted annually in the Road Fund Budget administered by Public Works.

The necessary funds required for the preliminary engineering cost of this project is included in the Fifth Supervisorial District's Road Construction Program in the Fiscal Year 2012-13 Road Fund Budget. Sufficient funds will be available in the Fifth Supervisorial District's Road Construction Program in the Fiscal Year 2013-14 Road Fund Budget to finance the construction cost of the project.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Amendment to Agreement 77916 has been approved, as to form, by County Counsel and executed by the City.

Sections 1685 and 1803 of the California Streets and Highways Code provide that the Board of Supervisors of any county may enter into contracts or agreements with the legislative body of any city for the purposes of more efficient construction or repair of streets and roads within the city. This proposal is also authorized and provided for by the provisions of Sections 6500 and 23004 et seq. of the Government Code.

The Amendment to Agreement 77916 provides for the County to perform the preliminary engineering and administer construction of the project under the Federal Highway Bridge Program. The City will finance the non-Federally reimbursable portion of the project cost. The City's actual cost will be based upon a final accounting after completion of the project.

ENVIRONMENTAL DOCUMENTATION

The California Environmental Quality Act requires public agency decision makers to document and consider the environmental implications of their actions. On February 12, 2013, Agenda Item 20, the Board made a finding that the project is categorically exempt from the provisions of the California Environmental Quality Act.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Del Mar Avenue over Alhambra Wash is entirely within the City's jurisdictional boundary. The project is scheduled to be advertised for construction bids in the spring of 2014 pending the County obtaining the necessary Federal and State approvals.

At the conclusion of the project, the City will continue to maintain and operate the project at the City's expense. There is no impact on current County services.

CONCLUSION

Please return one adopted copy of this letter and two originals of the amendment to the Department of Public Works, Programs Development Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:JTW:dg

Enclosures

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

AMENDMENT TO AGREEMENT 77916

THIS AMENDMENT TO AGREEMENT 77916, made and entered into by and between the CITY OF SAN GABRIEL, a municipal corporation in the County of Los Angeles (hereinafter referred to as CITY), and the COUNTY OF LOS ANGELES, a political subdivision of the State of California (hereinafter referred to as COUNTY):

WITNESSETH

WHEREAS, CITY and COUNTY have heretofore executed CITY-COUNTY Agreement 77916, dated February 12, 2013 (hereinafter referred to as AGREEMENT), regarding a cooperative project to perform the preliminary engineering and administer construction contract to replace the existing bridge on Del Mar Avenue over Alhambra Wash; reconstruct the necessary roadway pavement of the bridge approaches, including associated curb, gutter, and sidewalk; replace the existing signal at Del Mar Avenue and Commercial Center; and restripe to accommodate a left-turn lane pocket to Commercial Center (which work is hereinafter referred to as PROJECT); and

WHEREAS, PROJECT is within the geographical boundaries of CITY; and

WHEREAS, PROJECT is of general interest to CITY and COUNTY; and

WHEREAS, COST OF PROJECT is currently estimated to be Five Million Thirty-two Thousand and 00/100 Dollars (\$5,032,000.00) with Federal funding reimbursement estimated to be Four Million One Hundred Eighty Thousand and 00/100 Dollars (\$4,180,000.00); and

WHEREAS, CITY is willing to finance LOCAL SHARE OF COSTS, the non-Federally reimbursable local agency portion of the COST OF PROJECT; and

WHEREAS, CITY is willing to finance LOCAL SHARE OF COSTS, currently estimated to be Eight Hundred Fifty-one Thousand Five Hundred and 00/100 Dollars (\$851,500.00), by utilizing credit accrued through the reimbursement of COUNTY'S actual incurred expenditures, currently estimated to be Two Hundred Ninety-six Thousand Nine Hundred Sixty-two and 00/100 Dollars (\$296,962.00), under Service Request No. 15980 that was issued by the CITY on December 27, 2005, for COUNTY to start PRELIMINARY ENGINEERING per terms and conditions of the City-County General Services Agreement 77560, by claiming its remaining balance of Aid-to-Cities allocation of funds in the amount of Forty Five Thousand Eight Hundred Sixty-two and 00/100 Dollars (\$45,862.00) from the Fiscal Year 1990-91 allocation or preceding years, and by assigning available CITY Federal Surface Transportation Program-Local (STP-L) funds to COUNTY, currently estimated to be Five Hundred Eight Thousand Six Hundred Seventy-six and 00/100 Dollars (\$508,676.00), in lieu of cash, to finance the remaining portion of LOCAL SHARE OF COSTS; and

WHEREAS, COUNTY is willing to accept the CITY'S assignment of Federal STP-L funds and utilize the assignment as credit towards the CITY'S share of COST OF PROJECT; and

WHEREAS, the Los Angeles County Metropolitan Transportation Authority has procedures in effect that permit the transfer of Federal STP-L funds between agencies; and

WHEREAS, such a proposal is authorized and provided for by the provisions of Sections 1685 and 1803 of the California Streets and Highways Code.

NOW, THEREFORE, in accordance with Section (4), Item j., of the AGREEMENT, CITY and COUNTY mutually agree to amend AGREEMENT as follows:

Section (2), the following new paragraph b., replaces existing paragraph b.;

(2) CITY AGREES

- b. To assign Five Hundred Eight Thousand Six Hundred Seventy-six and 00/100 Dollars (\$508,676.00) of CITY'S available Federal STP-L funds to COUNTY as credit to finance a portion of LOCAL SHARE OF COSTS (hereinafter referred to as CITY'S PAYMENT). Such assignment shall be effective upon full execution of this AGREEMENT with no further action required by COUNTY.

Section (3), the following new paragraph f., replaces existing paragraph f.; and the following new paragraph g., is added;

(3) COUNTY AGREES

- f. To accept the CITY'S assignment of Federal STP-L funds and apply a credit of Five Hundred Eight Thousand Six Hundred Seventy-six and 00/100 Dollars (\$508,676.00) to finance a portion of the LOCAL SHARE OF COSTS, the actual amount of which will be determined by a final accounting of COST OF PROJECT.
- g. To furnish CITY within one hundred eighty (180) calendar days after final reimbursement received under the Federal Highway Bridge Program a final accounting of the actual COST OF PROJECT, including an itemization of actual unit costs and actual quantities for PROJECT.

Section (4), the following new paragraph b., replaces existing paragraphs b., c., d., e., and f.;

(4) IT IS MUTUALLY UNDERSTOOD AND AGREED AS FOLLOWS:

- b. That if at final accounting LOCAL SHARE OF COSTS exceeds CITY'S assignment and CITY'S PAYMENT, as set forth in paragraph (2) b., above, CITY shall pay to COUNTY the additional amount upon demand or assign additional CITY Federal STP-L funds to COUNTY. Said demand shall consist of a billing invoice prepared by COUNTY. Conversely, if the required LOCAL SHARE OF COSTS is less than the sum of said assignment and CITY'S PAYMENT, COUNTY shall credit the difference to CITY'S available Federal STP-L funds and/or remit a refund to CITY within thirty (30) days of the date COUNTY furnishes CITY with the final accounting.

In all other aspects, the provisions of AGREEMENT shall remain in full force and effect.

[illegible]

IN WITNESS WHEREOF, the parties hereto have caused this AMENDMENT TO AGREEMENT to be executed by their respective officers duly authorized by the CITY OF SAN GABRIEL on July 2, 2013, and by the COUNTY OF LOS ANGELES on August 20, 2013.

COUNTY OF LOS ANGELES

ATTEST:

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By [Signature]
Deputy



By [Signature]
Chairman, Board of Supervisors

I hereby certify that pursuant to
Section 26103 of the Government Code,
delivery of this document has been made

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By [Signature]
Deputy

APPROVED AS TO FORM:

JOHN F. KRATTLI
County Counsel

By [Signature]
Deputy

CITY OF SAN GABRIEL

By [Signature]
Juli Costanzo, Mayor

Date 07/02/13

ATTEST:

By [Signature]
Nina Castruita, Deputy City Clerk

APPROVED AS TO FORM:

By [Signature]
Robert L. Kress, City Attorney

ADOPTED
BOARD OF SUPERVISORS

25

AUG 20 2013

[Signature]
SACHI A. HAMAI
EXECUTIVE OFFICER